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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,967	03/19/2002	Matsuhisa Hosokawa	112133	5501

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EXAMINER

RAHMJOO, MANUCHER

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/099,967	HOSOKAWA, MATSUHISA	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mike Rahmjoo	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |



## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1- 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1 line 8 recites "Determining whether at least one attribute of the attribute information is completed to be acquired". When refereeing to attribute information using the word "**complete**" does not render the claim as definite and can be mistaken with attribute settings, which is not claimed herewith.

As per claim 1 line 9 recites "...resolution language...". It is not clear what "resolution language" is and how resolution can employ language as an attribute. While resolution and language are individually defined attributes; however, these terminologies combined together is indefinite.

As per claim 1 line 9 recites "...type...". It is not clear what is meant by "type" due to the fact that it is a very broad terminology.

Claims 4 and 8 have similar rejections.

Claims 2- 3, 5- 7 and 9- 13 are indefinite because they depend on indefinite antecedent claims.



*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Havekost et al, US Patent 5,768,119, hereinafter, Havekost.

As per claims 1,4,7, and 8 Havekost teaches an acquiring device that acquires, attribute information indicating attributes of said terminal device see for example column 27 lines 19- 27 through work stations 102, 104, 106 and figure 1c, and determines whether at least one of the attribute information (I/O subsystem attribute) is completed to be acquired see for example communication of I/O subsystem attributes transmission in column 7 lines 19- 27, the attribute being at least one of a terminal model, resolution language (see for example column 7 lines 35- 55 for the C ++ programming language which examiner broadly interprets as resolution language), type (see for example column 11 lines 25- 37 for the device type which examiner broadly interprets as type), presence or absence of display function (see for example figure 22 which examiner broadly interprets as display function), color display, font type, type of input device (see for example figure 1 for the keyboard), and presence or absence of audio output



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function (see for example figure 23 for the alarm states which the examiner broadly interprets as presence (activation of alarm) or absence(deactivation of alarm)); and a selection device that selects, based on the acquired attribute information, operation information that is appropriate for said terminal device from a plurality of types of operation information stored in a predetermined storage area see for example column 7 lines 35- 67 and column 8 lines1- 30(through different controllers and CPUs) and columns 27- 28 (through different controllers and multiplexers); and a providing device that provides the selected operation information to said terminal device see for example column 19 lines 13- 40(through management subsystems) and column 22 lines 46- 65, and a program see for example column 7 lines 58- 65.

As per claims 2,5,and 9 Havekost teaches priority setting information to prompt a user of said terminal device to set the priority for each attribute see for example column 3 lines 45- 50.

As per claims 3,6 and 10 Havekost teaches acquiring only the attribute information that indicates said attribute having a high priority from said terminal device see for example 34 lines 5- 17.

As per claims 11- 13 Havekost teaches said attribute information indicating a plurality of attributes, a priority being set for each attribute, and said selection device selecting said operation information on the basis of said priority see for example column 34 lines 5- 17 wherein alarms is an indexed attribute, and wherein the index selects the Nth highest priority alarm in the consolidation.



***Response to Arguments***

Applicant's arguments filed 08/27/2004 have been fully considered but they are not persuasive.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



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### **Inquiry**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Rahmjoo whose telephone number is (703) 305- 5658. The examiner can normally be reached on 6:30- 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (703) 308- 6829. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872- 9314 for regular communications and (703) 872- 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305- 4750.

Mike Rahmjoo

November 16, 2004



**MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**